

REMARKS/ARGUMENTS

Applicants would like to thank the examiner for the careful consideration given the present application. By the present amendment, claims 3, 12-16, 18-23, and 30 remain in the application while claim 3 is amended. Claims 1, 2, 4-11, 17, and 24-29 are canceled without prejudice. Applicants respectfully request reconsideration and allowance.

Information Disclosure Statement

It is acknowledged that the examiner still refuses to confirm consideration of the “Chinese Office action” because the date has not been provided. The issuing date of the “Chinese Office action” is February 20, 2009. The “Chinese Office action”, however, is not cited as a “publication” under 37 CFR 1.98(b); it is cited as an explanation of the prior art reference cited therein. Therefore, listing its date is neither required nor useful.

Drawings

Regarding the objection applied to the state determining circuit and the interference detecting circuit, Fig. 9B has been amended to show that Reception demodulator (1105) can work as a communication state determining circuit or an interference detecting circuit. The specification has been amended to support the amendment of Fig. 9B (see Amendment of the Specification). The amendments are supported by originally filed claims 17 and 21. Thus, the objection as it applies to the drawings is moot. No new matter is entered by the amendment.

Claim Rejections - 35 USC § 102

Claims 1, 6, and 7 are rejected under 35 U.S.C. 102(e) as being anticipated by Walker *et al.* US Patent Application Publication No. 2005/0179585 A1, hereinafter “Walker”. Claims 1, 6, and 7 have been canceled in the present application.

Claim Rejections - 35 USC § 103

Claims 5 and 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker. Claims 5 and 25-29 have been canceled in the present application.

Allowable Subject Matter

The examiner stated that claim 3 contains allowable subject matter. Applicants agree with the examiner. Claim 3 has been rewritten in independent form including all of the limitations of independent claim 1. Therefore, it is respectfully requested that claims 3 is allowable. Claims 12-16, 18-23, and 30 have been allowed in the previous Office action.

In consideration of the foregoing analysis, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any fees resulting from this communication, please charge same to our
Deposit Account No. 16-0820, our Order No.: NGB-41334.

Respectfully submitted,
PEARNE & GORDON, LLP

By: /michaelwgarvey/
Michael W. Garvey, Reg. No. 35878

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: January 6, 2010